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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,677	08/01/2001	Brett P. Monia	RTS-0245	7100

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02/17/2004

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EXAMINER

LACOURCIERE, KAREN A

ART UNIT

PAPER NUMBER

1635

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

021104

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Commissioner for Patents

The reply filed on December 11, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In the response filed December 11, 2003, Applicant has amended all pending claims to be directed to a different invention than the originally presented invention. As amended, claims 1, 2, 4-15 and 21-26 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: In response to the restriction requirement set forth on May 3, 2003 Applicant amended the claims to read on compounds targeted to SEQ ID NO:3 and, in essence, elected SEQ ID NO:3. As amended, the claims are directed to compounds targeted to multiple short sequences within SEQ ID NO:3 (dividing the claimed invention into multiple targeted regions corresponding to the individual sequences set forth in the restriction requirement as distinct inventions), the examination of which would require a separate and distinct search from that of the originally elected claims to compounds targeted to SEQ ID NO:3. Compounds targeted to each of these sequences is considered to be structurally independent and distinct even though they each target SEQ ID NO:3, because compounds targeted to each of these sequences has a unique nucleotide sequence, distinct from the full length SEQ ID NO:3 and distinct from each other and each targets a particular specific region of the gene, distinct from each other. A new, separate and distinct search would be required for each of these target regions, separate from the search of SEQ ID NO:3 and each other and a search of all the target regions claimed presents an undue burden on the Patent and Trademark Office to search and examine all of the recited regions. Applicant has received an action on the merits for the originally elected invention, compounds targeted to SEQ ID NO:3, and all claims pending are drawn to a non-elected invention, this response is not considered to be responsive to the prior Office action. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

KAREN A. LACOURCIERE, PH.D
PRIMARY EXAMINER

Karen A. Lacourciere